

United States District Court
For the Northern District of California

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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION
10 RALPH JENKINS, CASE NO. 5:11-cv-00588 EJD
11 Plaintiff(s), ORDER DISMISSING CASE WITHOUT
12 v. PREJUDICE
13 SAN JOSE POLICE, et. al.,
14 Defendant(s).
15 _____ /

16 On September 27, 2011, the court ordered Plaintiff Ralph Jenkins to show cause in writing
17 by October 27, 2011, why (1) he had failed to submit an application to proceed in forma pauperis
18 and (2) why the district court had subject matter jurisdiction over this action. See Docket Item No.
19 14. The court admonished Plaintiff that this case would be dismissed should he fail to show good
20 cause.

21 To date, Plaintiff has not complied with the show cause order as directed. Accordingly, as
22 the court finds it lacks subject matter jurisdiction over the claims raised by Plaintiff, this case is
23 DISMISSED WITHOUT PREJUDICE. See *Frigard v. United States*, 862 F.2d 201, 204 (9th Cir.
24 1988).

25 **IT IS SO ORDERED.**

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27 Dated: November 1, 2011
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EDWARD J. DAVILA
United States District Judge